

**Hawaiian Islands Humpback Whale National
Marine Sanctuary Advisory Council**

Friday, September 5, 1997
10:00 AM - 2:00 PM
Honolulu Interisland Terminal
Room #4, 7th Floor

Meeting Minutes

Attendance

SAC Members Present: Herman Chong, Jr., Jim Coon, Beth Goodoni, Walter Haas, June Harrigan-Lum, Lou Herman, Marc Hodges, Greg Kaufman, William Lennan, Craig MacDonald, Lt. Michael Neininger, Paul Nachtigall, Gene Nitta, Francis Oishi, Dick Poirier, Robert Schroeder, Glenn Soma, Skip Weinstein.

Excused: Hannah Bernard, Stan Butler, Donna Liddicote, Claud Sutcliffe.

Absent: Maile Bay, Thelma Kia-Shimaoka, Jan Pinney

Others Present:

NOAA/SRD: Kellese Araki, Naomi McIntosh, Allen Tom.

NOAA/NMFS: John Naughton.

DLNR: Athline Clark, Emily Gardner.

Public: Becky Kimball Hommon, Tim Hurley, Mike Latham, Robin McIntosh, Dan Norton, Darrell Young.

Distributed Materials

- Agenda
- Addendum to Agenda
- SAC Handbook
- Olympic Coast NMS Newsletter
- Sanctuary Events Calendar

Welcoming Remarks / Approval of Minutes

The meeting was called to order by Jim Coon who then asked for an approval of the last meeting minutes. Any questions or comments regarding the minutes should be directed to SAC Coordinator Kellese Araki.

Greg Kaufman reminded the SAC that at the last meeting it was decided that SAC officer terms would be extended until after the Governor's decision regarding the

sanctuary boundary. Mr. Kaufman wanted to ensure that this issue would be addressed at today's meeting.

Overview of Governor's Decision

Allen Tom provided an overview of Governor Cayetano's decision on the designation of the Hawaii Sanctuary. Mr. Tom stated that on June 5, 1997, Governor Cayetano approved some of the state waters for inclusion in the sanctuary boundary. This boundary was approved on a five-year conditional basis

June Harrigan-Lum suggested that the harbor exclusions map (enclosed in the SAC Handbook) show longitude and latitude lines. Mr. Tom noted that the sanctuary program is currently working on that and is planning to digitize the maps for use in a GIS database. Greg Kaufman also suggested that a line be drawn around the island of Kahoolawe so that the boundary is clearly delineated

Allen Tom informed the group that the Sanctuary's state point of contact is now the Department of Land and Natural Resources (DLNR) and no longer the Office of Planning. DLNR's role has not yet been determined but there is a possibility of looking to other sanctuary programs for models of state relationships. The next meeting should see a more defined state role with the sanctuary program.

Next Steps - Sanctuary Program Implementation

The Federal fiscal year starts on October 1, 1997. The Sanctuary will be submitting a budget (1.6M) for the site. Only one federal position will be funded under this budget. No other positions are allocated at this time. Sanctuary funds will be allocated for various research projects and projects undertaken through federal and state partnerships. As things are still tentative at the moment, the Sanctuary program will have a better fiscal picture by the next SAC meeting in October.

Jim Coon inquired as to who makes the decision on the allocation of funds. Allen Tom stated that the Hawaii Sanctuary program decides which projects to fund but caution needs to be exercised with funds that have been earmarked by Congress. Those funds must be used specifically for the purpose that it was designated. Also, in response to a question posed by Greg Kaufman, Allen noted that the SAC will be involved in the prioritization of projects and allocation of funds.

Athline Clark stated that Federal funding is essentially a contract. The State needs to execute a contract delineating how monies will be spent. There are clear boundaries on what the money will be used for and justification needs to be provided on how the State will spend the money. Greg Kaufman asked whether there are contractual arrangements already made with the State that the SAC should be aware of and if the SAC will have a say in the budgeting of state projects. Allen Tom stated that there are arrangements already made and he would need to further work this out.

Allen Tom announced that his official role with the Sanctuary ended when the Governor signed the contract with NOAA. His term as the on-site liaison ends at the end of the month (September). The sanctuary manager position is open to anyone interested. It is a federal position graded at a GS13 including COLA.

The dedication ceremony for the Hawaii Sanctuary will be held the weekend of January 24th on Maui. Dr. Sylvia Earle and Jean Michel Cousteau are already scheduled to speak at the event. Ceremonies will also be held on Kauai and Oahu on the following weekends. Tentative events for the Maui ceremony include speeches and presentations in the morning, a whale watch cruise in the afternoon, and a dinner reception in the evening. This dedication ceremony will also serve as the kick-off for the *Year of the Ocean*. Anyone interested in helping with the festivities should contact the sanctuary staff.

SAC Elections

Jim Coon opened the discussion for SAC term expirations. Greg Kaufman commented that the current SAC was formed for the purpose of getting the sanctuary program approved in Hawaii. Due to this, the composition of the SAC may not be appropriate for the implementation phase of the sanctuary program. He also noted that there is a problem with all of the SAC terms expiring concurrently. Allen acknowledged this and stated that the selection of new SAC members will have to go through a public process.

Several members questioned the need to repeat the public selection process, particularly for those members that are interested in remaining on the SAC. It was proposed that those wanting to continue their work with the SAC should have their terms automatically extended. Allen responded that NOAA would not allow SAC seats to roll into the next term.

Questions were also raised regarding the application review process. Greg Kaufman suggested that the SAC should be open to outside input and a separate group be established to review applications. Beth Goodoni also commented that the SAC should have a protected method of evaluating fellow members and providing input when they reapply for the SAC. She stated that it would be difficult to have an outside person objectively and accurately review candidates based solely on their resume.

Composition of the SAC was also discussed and questions were raised regarding the effectiveness of the group. Greg Kaufman stated that a commonly held public belief is that there is a lack of community representation on the SAC and too much emphasis on the government agencies. He suggested that public input be increased on the SAC. Skip Weinstein also noted that there was an uneven cross-section in the ratio between government agencies and community interest groups. He did however, mention that it was the SAC member's responsibility to obtain input and field concerns from members of their respective constituencies and bring that to the

table for discussion. It is not necessary nor feasible to have all of the smaller interest groups sitting at the table as members.

Allen identified the Florida SAC as a possible model for Hawaii's SAC, noting that their group consists of only non-governmental members, with government members sitting on the outside as resource people. Walter Haas expressed that State agencies serve a valuable role in SAC discussions and decisions. He stated that agencies might be effective in offering input on the side, but would probably be more efficient as voting members. This view was also supported by Gene Nitta.

Beth Goodoni asked whether there was a way the SAC could ensure that government agencies had a representative at all meetings even if they are not official SAC members to guarantee their input. June Harrigan-Lum also reiterated the need to have a policy of having consistent agency representation at all SAC meetings. The SAC collectively agreed that it was important to keep agency representation on the group and a motion was approved to keep agencies on in a voting capacity. In another vote, the group also elected to retain the current composition of the SAC

A discussion was also initiated concerning the issue of electing SAC officers now or extend current officers' terms and wait until March when new SAC members are selected. A motion was carried to extend officer terms until March 1, 1998 or until the SAC charter is changed, whichever comes first.

Amendment to SAC Charter

An additional motion was called by Greg Kaufman to amend the SAC charter and move the member selection process to an immediate date rather than wait until March. With a vote of 7 in favor and 8 opposed, the motion did not pass. A recount was requested with the Chair voting on the motion. Upon a recount of votes, the motion was carried with 9 in favor and 8 in opposition.

A motion was carried to form a subcommittee to review and amend the SAC charter. Interested members were asked to volunteer to be on the amendment subcommittee. Subcommittee members consist of:

William Lennan
Paul Nachtigall
Francis Oishi
Richard Poirier
Skip Weinstein

Charter amendments to be considered include:

- 1) Change the voting status of the National Marine Fisheries Service (NMFS)
- 2) Look at the Department of Transportation (DOT) seat

- 3) Incorporate Roberts Rules into the SAC process
- 4) Stagger SAC membership terms
- 5) Seats for government officials
- 6) Ensure that the SAC Chair has a vote
- 7) Consider an Office of Hawaiian Affairs (OHA) seat

Other Issues

Allen Tom asked the group if they were interested in having an ATOC presentation at the next SAC meeting. Dr. Adam Frankel from Cornell is available to provide information regarding this controversial project and has agreed to speak at the next meeting. The SAC expressed interest in this presentation.

With no further business, the meeting was adjourned.

The next SAC meeting is scheduled for Wednesday, October 22, 1997 at the Honolulu Airport from 10:00 a.m. to 2:00 p.m. Agenda items to include SAC charter amendments and an initial discussion of the election process.